

ARTICLE APPEARED
ON PAGE **506**THE NATION
12 April 1986**LETTERS.****SHCHARANSKY NO SPY**
Washington

What was the "suffocating piety with which the Shcharansky affair has been treated in the press" that so offended Alexander Cockburn ["Beat the Devil," March 1]? Was it wrong or hypocritical to celebrate because someone who survived years of Soviet oppression and cruelty was unexpectedly released, and then showed himself to be not only heroic but charming?

Does Cockburn believe Anatoly Shcharansky was indeed a spy? Cockburn doesn't say that; he simply repeats part of a New York *Daily News* report by Lars-Erik Nelson stating that some information Shcharansky disclosed to a newsman, in order to refute the Russians' excuses for prohibiting Jewish emigration, was interpreted by others to produce intelligence information. That obviously doesn't make Shcharansky a spy, but if Cockburn didn't intend to insinuate that it does, why the title "Was Shcharansky a Spy?"

More important, why no reference anywhere in his column to Nelson's repeated insistence that Shcharansky "didn't know" the military implications of the information he gave? From the partial information, one might infer that the Russians were in some way justified in convicting Shcharansky. Is that what Cockburn means to imply?

Cockburn also uses the Nelson story to report that "one U.S. intelligence official . . . cried out with relief" that Shcharansky wasn't shot. Is that supposed to link Shcharansky to U.S. intelligence?

In fact, Nelson nowhere describes the American officials in question as "intelligence." His story reads:

As American officials waited out the verdict at Shcharansky's 1978 trial, one of them said nervously, "I don't think the case would hold up in an American court—but, of course, he's not in an American court."

When the Soviet court found Shcharansky guilty and sentenced him to fifteen years, another official blurted out, "Thank God, it's nothing more than that."

Moreover, there is nothing in the Nelson story to support Cockburn's statement that "the Defense Intelligence Agency . . . had been compiling a catalogue of Soviet military installations as a result of the Shcharansky-Toth collaboration." [Emphasis added.] Nelson simply wrote, "Adding to the Soviets' case against Shcharansky was a trip to Moscow by Gen. Sam Wilson, then the head of the Defense Intelligence Agency."

Finally, and just for the record, Shcharansky, a friend and ally of Andrei Sakharov, was not punished for spying for the United States, which, of course, is nonsense. He was

charged and sentenced to this to fifteen, as Cockburn writes), because he was not only openly working for Jewish emigration but also monitoring the Helsinki Accord on human rights. *Herman Schwartz*
Professor of Law, American University

COCKBURN REPLIES*New York City*

At the start of 1978, just about the time Shcharansky was imprisoned in the Soviet Union, the F.B.I. arrested Ronald Humphrey and David Truong and charged them with supplying classified information to the Socialist Republic of Vietnam. Both were given fifteen-year sentences. Their appeals failed. No piety, suffocating or otherwise, surrounds these two men, even though the information they supplied—pertaining to the normalization of relations between the United States and Vietnam—barely deserved to have a security classification; even though there were extenuating circumstances in the form of both men's familial ties in Vietnam; and even though it was clear that the arrests, trials and savage sentences were carefully designed as a show of political repression, part of the medication formulated to cure post-Vietnam syndrome.

Were Humphrey and Truong trafficking in "state secrets" and therefore vulnerable to charges of espionage? In the narrowest interpretation, yes; and it mattered not a whit whether either was aware of that fact. But were those charges leveled and upheld for entirely political reasons? Undoubtedly.

Now consider Shcharansky. The "suffocating piety" to which I referred and of which Professor Schwartz's letter is but one more example, consists essentially in the fact that the U.S. press was unable to deal with the case in terms other than those of hagiography, in which the martyrdom of an absolutely innocent man, wrought by the custodians of the Evil Empire, was successfully invoked by opponents of détente as an emblem of Soviet subhumanity. I cited Lars-Erik Nelson's *Daily News* column of February 14 at some length because it was a rare, indeed probably unique, example in the press here of a dispassionate consideration of the case. Nelson asked, Did the K.G.B. have any evidence for its charges of espionage against Shcharansky? He answered that in Soviet terms it did. (And if anyone wants to sneer at the words "Soviet terms," I encourage them to consider the fate of Humphrey and Truong.) At no point did I misrepresent Nelson's column. In the course of a telephone conversation about it, he told me of the Defense Intelligence Agency's catalogue, compiled as a result of the Shcharansky-Toth collaboration. In the same conversation I did however misunderstand him to be referring to U.S. intelligence officials awaiting the verdict. A high-level State Depart-

ment official was who Nelson had in mind. As I have said before, I think the concept of espionage is essentially bogus, contrived as an excuse for state repression. (I've also said that the only secret "intelligence" worth having comes from satellite observation and from decryption—which came out in *The Nation* as "description," but that's another story.) This analysis applies to Shcharansky, as to Humphrey and Truong, but even so, journalists still have the duty to try to get beyond hagiography in the service of the cold war. I know that some reporters did feel that Shcharansky may have been more compromised by Robert Toth's use of his material in the *Los Angeles Times* than they cared publicly to admit. They felt that any dispassionate treatment of the case might diminish Shcharansky's chances of release and lay them open to charges of being cat's-paws for the K.G.B. In other words, what we had was "war reporting," designed above all not to give aid and comfort to the "enemy," and subject to all the usual laws of prudent self-censorship. This is mostly the reporting we get about the Soviet Union, both from Moscow correspondents and from commentators, analysts and pisspots for "intelligence sources" in this country.

Over the long run, this war reporting has had a disastrous effect on relations between the United States and the Soviet Union, an effect greatly relished by supporters of the cold war, arms manufacturers, Edward Teller, Jerry Falwell, Ben Wattenberg and their hell-spawned legions. The same sort of war reporting is characteristic of their coverage of Israel, with different though equally disastrous results, as the suffocatingly pious treatment of Shcharansky's wife, Avital, excellently illustrated. Amid all the ecstatic coverage of her efforts to obtain the release of her husband, few either wished or dared to point out that as a member of Gush Emunim she is an ardent advocate of just that denial of human rights that she was protesting in the case of Anatoly. The day the Palestinians or Humphrey and Truong get equal time I'll listen more easily to professors' protests about my views of the Shcharansky affair and the circumstances that surround it.

Alexander Cockburn